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Attorneys for Defendant
 UNITED STATES DEPARTMENT OF JUSTICE

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

WILLIAM PICKARD,)	C 06-00185 CRB
)	
Plaintiff,)	DECLARATION OF NEILL T. TSENG
)	IN SUPPORT OF DEFENDANT'S
v.)	ADMINISTRATIVE MOTION TO FILE
)	UNDER SEAL
UNITED STATES DEPARTMENT OF)	
JUSTICE,)	
)	
Defendant.)	

I, NEILL T. TSENG, declare:

1. I am an Assistant United States Attorney, Northern District of California. I represent the defendant in the above-captioned matter. I submit this declaration in support of Defendant's Administrative Motion to File Under Seal (the "Administrative Motion"). The matters in this declaration are based upon my personal knowledge or my review of the case files, and I could testify competently if called upon to do so.

2. This declaration is submitted pursuant to Civil L.R. 7-11(a) and Civil L.R. 79-5. Civil L.R. 7-11(a) requires that an administrative motion be accompanied "by either a stipulation under Civil L.R. 7-12 or by a declaration that explains why a stipulation could not be obtained." Here, a stipulation was not obtained because Civil L.R. 79-5(a) says that "[a] stipulation . . . will not suffice to allow the filing of documents under seal." Nevertheless, I did discuss by telephone

DECLARATION OF NEILL T. TSENG IN SUPPORT OF DEFENDANT'S ADMINISTRATIVE MOTION TO
 FILE UNDER SEAL
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1 the Administrative Motion with opposing counsel. Opposing counsel informed me that plaintiff
2 does not consent to the filing of, and reserves the right to oppose, the Administrative Motion.

3 I declare under penalty of perjury that the foregoing declaration is true and correct.

4 Executed at San Francisco, California, on March 30, 2012.

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6 /s/
NEILL T. TSENG
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